

Staff Summary Report



Council Meeting Date: 1/19/2012

Agenda Item Number: 5D4

SUBJECT: Second and final public hearing to adopt an ordinance amending Tempe City Code, Chapters 5 and 19 relating to disability parking.

DOCUMENT NAME: 20120119DOGB01 AMUSEMENTS (0503-05) & MOTOR VEHICLES & TRAFFIC (0503-19) ORDINANCE NO. 2012.03

COMMENTS: This ordinance clarifies disabled parking spaces and designated accessible passenger loading zones in Chapter 19; Chapter 5 language allows alternative accessible parking during special events.

PREPARED BY: Karl Stephens, ADA Compliance Specialist (480-350-2704)

REVIEWED BY: Rosa Inchausti, Diversity Administrator (480-350-8999)

LEGAL REVIEW BY: Andrew Ching, City Attorney (480-350-8575)

DEPARTMENT REVIEW BY: Rosa Inchausti, Diversity Administrator (480-350-8999)

FISCAL NOTE: N/A

RECOMMENDATION: Adopt Ordinance 2012.03

ADDITIONAL INFO: On July 2, 2009, the Mayor and City Council approved action to revise Tempe City Code 19-93. These changes increased the enforcement of accessibility standards to prevent the blocking or illegal parking of vehicles in disabled access parking spaces, access aisles and curb-ramps. The revision also effectively raised the fines for such parking violations.

Since the 2009 revisions, the Commission on Disability Concerns has found the need to further clarify the language of the ordinance. During 2011, representatives from the offices of the City Manager, Diversity, City Attorney, City Court, Police, Community Development, Community Services, and the Mayor's Commission on Disability Concerns have worked cooperatively to further refine the text of this Ordinance. The new revisions specify the following:

- No person shall stop, stand or park a vehicle...in the access aisle...or any designated accessible route of travel or any designated accessible passenger loading zone. Sec. 19-93 (c)
- No person may block, use or occupy a restricted parking area that blocks or denies access to vehicles with proper plates or placards to those accessible parking spaces. Sec. 19-93 (e)
- Real property owner or person responsible for real property may be held responsible for blocking or denying access to or egress from accessible parking spaces on private property. Sec. 19-93 (f) or (h)
- In addition, language was added specific to parking situations related to City of Tempe Temporary Special Events. Sec. 19-93 (g) & (j)

Please Note: The effective date of the ordinance has been changed since the item was initially introduced on January 5, 2012. At the request of the City Court, the new proposed effective date is March 1, 2012. An ordinance change on the first of the month facilitates efficient record keeping.